

# VILLAGE OF CARO ZONING ORDINANCE

## ARTICLE 25 SPECIAL CONDITION USES

### **Section 2500 PURPOSE:**

In order to make this Ordinance a flexible zoning control and still afford protection of property values and orderly and compatible development of property within the Village, the Village Council upon the recommendation of the Planning Commission, in addition to its other functions, is authorized to approve the location of certain uses within the various zone classifications which uses are designated in this Ordinance as special condition uses.

Such special condition uses have been selected because of the unique characteristic of the use which, in the particular zone involved, under certain physical circumstances and without proper controls and limitations, could cause it to be incompatible with the other uses permitted in such zoning district and accordingly detrimental thereto.

With this in mind, such special condition uses are not permitted to be engaged in within the particular zone in which they are listed unless and until the Village Council in its absolute discretion, is satisfied that the following minimal standards are met in addition to those specified for a particular special condition use:

1. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety or general welfare.
2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor shall it substantially diminish and impair property values within its neighborhood.
3. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and necessary facilities have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public street.
6. That the special condition use shall, in all other respects conform to the applicable regulations of the district in which it is located and to any additional conditions or procedures as specified in this Article.

**Section 2501 SPECIAL CONDITION USE PROCEDURE:**

1. All applications for special condition use permits shall be filed with the Zoning Administrator and shall include all pertinent plans, specifications and other data upon which the applicant intends to rely for a special condition use permit. The information required under Section 1414 Site Plan Review is also required for a special condition use, if applicable.
2. The Planning Commission shall, upon receipt of a written application in proper form, schedule and hold a public hearing published in a newspaper circulated within the Village and by a similar notice mailed or personally delivered to the owners of property for which approval is sought, to all persons for whom real property is assessed within 300 feet of the boundaries of the subject property, and to the occupants of all structures within 300 feet thereof, not less than five nor more than fifteen days before the date of such hearing. This hearing shall be held not more than 45 days subsequent to the date of receipt of the application by the Zoning Administrator.
3. Following such hearing the Planning Commission shall either recommend granting or denying a permit for such special exception use and shall state its reasons for its decisions in the matter within 100 days subsequent to the date of receipt of the application by the Zoning Administrator. Final decision by the Village Council shall be taken within 30 days of the Planning Commission's recommendation. All conditions, limitations and requirements upon which any such permit is granted shall be specified in detail by the Council in its decision and shall be filed with the zoning enforcement officer of the Village.
4. The plot plan and specifications, and all conditions, limitations and requirements imposed by the Village Council shall be incorporated as a part of the special condition permit and violations of any of these at any time will cause revocation of said permit and said special condition use shall cease to be a lawful use.
5. Any property which is the subject of a special condition permit, which has not been used for a period of twelve months (without just cause being shown which is beyond the control of the owner and which is acceptable to the Village Council), for the purpose for which such special condition use was granted, shall thereafter be required to be used for only permissible uses set forth in the particular zoning classification and the permit for such special condition use shall thereupon terminate.

**Section 2502 SPECIAL CONDITION USES PERMITTED:**

The following special condition uses may be allowed as permitted in specific zoning districts when the Village Council determines that application for such use meets all the restrictions and requirements of the Village of Caro Zoning Ordinance.

1. All "Principal Uses Permitted Subject to Special Conditions" listed in District Regulations Articles 4 through 14, but without specific design standards listed in this Section.
2. Bed and Breakfast operations as a subordinate use to a single-family dwelling shall be permitted subject to the following conditions:
  - a. Shall be operated in its entirety within the principal dwelling and not within any garage or accessory building located upon the premises, except for incidental storage in use of a residential type garage.
  - b. Is only conducted by persons owning and living within the premises.
  - c. Has no exterior evidence, other than a permitted sign, to indicate same is being utilized for any purpose other than a dwelling. Said permitted sign not to exceed four (4) square feet in area and to be placed no further than four (4) feet from the dwelling.
  - d. Does not involve alteration or construction not customarily found in dwellings.
  - e. Is clearly incidental and subordinate to the principal use of the premises for residential purposes.
  - f. Does not constitute an annoyance or nuisance to adjoining residents by reason of noise, smoke, electrical disturbance, night lighting, or the creation of unreasonable traffic to the premises.
  - g. Does not use more than three bedrooms of the dwelling.
  - h. A smoke detector is placed in each sleeping room designated for the Bed and Breakfast.
  - i. Must provide for one off-street parking space for each bedroom designated as Bed and Breakfast.
  - j. Each operator shall keep a guest register which contains a list of names of all persons staying at the Bed and Breakfast operation.

- k. The maximum stay for any occupants of the Bed and Breakfast shall be fourteen (14) days.
3. Bowling alleys, billiard halls, indoor archery ranges, indoor tennis courts, indoor skating rinks, or similar facilities for indoor recreation shall be permitted subject to the following conditions:
  - a. The facility is located at least one hundred (100) feet from any front, rear or side yard of any residential lot in an adjacent residential district.
4. Churches and other facilities normally incidental thereto shall be permitted subject to the following conditions:
  - a. Buildings of greater than the maximum height allowed in ARTICLE 17 — SCHEDULE OF REGULATIONS may be allowed provided front, side and rear yards are increased above the minimum required yards by one (1) foot for each foot of building height that exceeds the maximum height allowed.
  - b. All access to the site shall be in accordance with Section 1811.
5. Communication antennas affixed to existing structures

To minimize the negative aesthetic impacts associated with ground-based communication towers, the placement of communication antennas on preexisting structures such as water towers, church steeples, and commercial and industrial buildings, shall be encouraged by the Village Planning Commission. Antennas located on structures do not have to meet the more stringent height and distance requirements associated with ground based towers, provided the applicant can demonstrate the following:

  - a. The antenna will be aesthetically compatible with the surrounding area.
  - b. The antenna and any associated structures and guy wires shall be inaccessible to the general public.
6. Communication towers affixed directly to the ground shall be permitted, subject to the following conditions:
  - a. The tower is located no closer to any Residential District than the height of the tower plus fifty feet.
  - b. The tower is located no closer to any structure not associated with the operation of the tower than the height of the tower plus fifty feet.

- c. All wiring between the tower and other structures shall be placed underground whenever possible.
  - d. The tower, any accessory structures and any guy wires which are fixed to the ground shall be completely enclosed by appropriate fencing as determined by the Planning Commission.
  - e. In order to maximize the efficiency of the telecommunications services, while also minimizing the impact of such facilities on the Village, co-location, or the provision of more than one facility in a single location shall be encouraged by the Planning Commission. In this regard the Applicant may be required to provide information regarding the feasibility of co-location at proposed sites. Further, the Applicant may be required to provide a letter of intent to lease excess space on a facility and commit itself to:
    - 1. Respond to any requests for information from another potential shared use applicant;
    - 2. Negotiate in good faith and allow for leased shared use if an applicant demonstrates that it is technically possible; and
    - 3. Make no more than a reasonable charge for a shared use lease.
7. Convalescent homes and orphanages shall be permitted subject to the following conditions:
- a. There shall be provided on the site, not less than one thousand (1,000) square feet of open space for each bed in the home. The one thousand (1,000) square feet of land area shall provide for landscape setting, off-street parking, service drives, loading space, yard requirement and accessory uses, but shall not include the area covered by main or accessory buildings.
  - b. No building shall be closer than twenty-five (25) feet to any property line.
8. Correctional facilities
- a. The proposed site shall be at least ten (10) acres in area.
  - b. The proposed site shall have at least one (1) side abutting a public street. All ingress and egress to the off-street parking area shall be directly from the public street.
  - c. All two story structures shall be at least one hundred (100) feet from all boundary lines or street lines. Buildings less than two stories shall be no closer than fifty (50) feet to any property or street line. For buildings above two stories, the building shall be set back an additional one (1) foot for each foot of additional height above two stories.

- d. No more than twenty-five (25%) percent of the gross site shall be occupied by buildings.
  - e. Ambulance and delivery areas shall be obscured from residential view by a solid masonry wall six (6) feet in height. Access to and from the delivery and ambulance area shall be directly from a major thoroughfare.
  - f. All signs shall be in compliance with the provisions of this ordinance.
  - g. Off-street parking and loading shall be provided in compliance with the provisions of this ordinance.
9. Drive-in or open front stores shall be permitted subject to the following conditions:
- a. A setback of at least sixty (60) feet from the right-of-way line of any existing or proposed street must be maintained.
  - b. Access points shall be located at least sixty (60) feet from the intersection of any two (2) streets.
  - c. All lighting shall be shielded from adjacent residential districts.
  - d. A six (6) foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for RA, OS-1, B-1 or B-2 districts. The height of the wall shall be measured from the surface of the ground. Said wall shall meet the requirements of ARTICLE 18 - GENERAL PROVISIONS.
10. Gasoline service stations for the sale of gasoline, oil and minor accessories only where no work, except incidental service, is rendered shall be permitted subject to the following conditions:
- a. The curb cuts for access to service stations shall not be permitted at locations where the cuts will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.
  - b. The minimum lot area shall be fifteen thousand (15,000) square feet, and so arranged that ample space shall be available for motor vehicles waiting. Gasoline service stations intended solely for sale of gasoline, oil and minor accessories and having no lubrication facilities or facilities for the repair or other servicing of automobiles may be permitted on lots of ten thousand (10,000) square feet, subject to all other provisions hereof.

- c. Such incidental service does not include steam cleaning, undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstering, auto glass work, or other operations of the sort.
11. General hospitals shall be permitted subject to the following conditions:
- a. All such hospitals shall be developed only on sites consisting of at least ten (10) acres in area.
  - b. All access to the site shall be in accordance with Section 1811.
  - c. The minimum distance of any main or accessory building from bounding lot lines or streets shall be at least one hundred (100) feet for front, rear and side yards for all two (2) story structures. For every story above two (2), the minimum yard distance shall be increased by at least twenty (20) feet.
  - d. Maximum height of the building shall be established based on fire fighting and rescue capabilities of the village.
12. Golf courses whether operated for profit or not, shall be permitted subject to the following conditions:
- a. The site shall be so planned as to provide all access in accordance with Section 1811.
  - b. The site plan shall be laid out to achieve a relationship between the major thoroughfare and any proposed service roads, entrances, driveways, and parking areas which will encourage pedestrian and vehicular traffic safety.
  - c. Development features including the principal and accessory buildings and structures shall be so located and related as to minimize the possibilities of any adverse affects upon adjacent property. This shall mean that all principal or accessory buildings shall be not less than two hundred (200) feet from any property line abutting residentially zoned lands; provided that where topographic conditions are such that buildings would be screened from view, the Planning Commission may modify this requirement.
  - d. Whenever a swimming pool is to be provided, said pool shall be provided with a protective fence six (6) feet in height, and entry shall be by means of a controlled gate.

13. Housing for the elderly shall be permitted subject to the following conditions:
  - a. All dwellings shall consist of at least three hundred and fifty (350) square feet per unit (not including kitchen and sanitary facilities).
  - b. Total coverage of all buildings (including dwelling units and related service buildings) shall not exceed twenty-five (25) percent of the total site exclusive of any dedicated public right-of-way.
14. Lumber and planing mills shall be permitted subject to the following conditions:
  - a. The facility shall be completely enclosed.
  - b. The facility shall be located in the interior of the district so that no property line shall form the exterior boundary of the I-1 District.
15. Mortuary establishments shall be permitted subject to the following conditions:
  - a. In addition to any required off-street parking area, there is adequate off-street assembly area for funeral procession vehicles.
16. Motels shall be permitted subject to the following conditions:
  - a. Access shall be so provided as not to conflict with the adjacent business uses or adversely affect traffic flow on a major thoroughfare, as defined in the Comprehensive Plan.
  - b. Each unit shall contain not less than two hundred and fifty (250) square feet of floor area.
17. Nursery schools, group day care homes and child care centers (not including dormitories) shall be permitted subject to the following conditions:
  - a. For each child so cared for, there shall be provided and maintained a minimum of one hundred and fifty (150) square feet of outdoor play area. Such play space shall have a total minimum area of not less than five thousand (5,000) square feet and shall be fenced and screened from any adjoining lot in any residential district.
18. Outdoor sales space for exclusive sale of new or used automobiles, farm equipment and machinery, house trailers, or rental of trailers and/or automobiles, shall be permitted subject to the following:
  - a. The lot or area shall be provided with a permanent, durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulated within the area.

- b. Access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.
- c. No major repair or major refinishing shall be done on the lot.
- d. All lighting shall be shielded from adjacent residential districts.

19. Outdoor Theaters

Because outdoor theaters possess the unique characteristics of being used only after darkness and since they develop a concentration of vehicular traffic in terms of ingress and egress from their parking area, they shall be permitted in I-2 Districts only. Outdoor theaters shall further be subject to the following conditions:

- a. The proposed internal design shall receive approval from the Building Inspector and the Village Engineer as to adequacy of drainage, lighting and other technical aspects.
- b. Outdoor theaters shall abut a major or secondary thoroughfare and points of ingress and egress shall be available only from such major or secondary thoroughfare.
- c. All vehicles, waiting or standing to enter the facility shall be provided off-street waiting space. No vehicle shall be permitted to wait to stand within a dedicated right-of-way.
- d. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas or adjacent major or secondary thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within, and directed onto, the premises of the outdoor theater site.

20. Planned Unit Development (PUD).

The following requirements shall apply in addition to all other applicable requirements of this Ordinance for the residential districts in which such uses are located. Control of such PUD developments shall be the ultimate responsibility of the Village Council with the Planning Commission acting in an advisory capacity.

- a. Purpose. The purpose of these regulations is to permit greater flexibility in the development of the RA-1, RA-2, RB and RC residential districts than is generally possible under conventional zoning regulations. It is

further intended to promote more efficient use of the land while providing a harmonious variety of housing choices, the integration of necessary commercial and community facilities and the preservation of open space for park and recreational use. A permit may be issued for construction and occupancy of a PUD subject to compliance with the requirements, standards and procedures set forth in this Ordinance.

- b. General requirements for planned unit developments.
  - 1) Minimum Area: The minimum area for a PUD special exception permit shall not be less than five (5) contiguous acres of land. However, an area bounded on all sides by a public street, railroad, or other external barriers shall be considered for a PUD regardless of minimum acreage.
  - 2) Ownership: The tract of land for a project must be either in one ownership or the subject of an application filed jointly by the owners of all properties included.
  - 3) Location: Planned unit developments shall be allowed only within the RA-1, RA-2, RB and RC Districts providing the applicant can demonstrate that the proposed character of development will meet the objectives of PUDs.
  - 4) Utilities: Public water, sanitary sewer and storm drainage facilities shall be provided as part of the site development. All electric and telephone transmission wires shall be placed underground.
  - 5) Approval: Approval by the Planning Commission and Village Council of a sketch plan and detailed site plan for all planned use developments is required.
- c. Permitted Uses. No structure or part thereof shall be erected, altered, or used, and no land shall be used except for one or more of the following regardless of the zoning district in which the same is located.
  - 1) Residential uses permitted
    - (a) Single-family detached dwellings;
    - (b) Two-family dwellings;
    - (c) Townhouses;
    - (d) Apartment buildings;

- 2) Non-residential uses permitted. Non-residential uses of a religious, educational, commercial, or recreational character to the extent that they are to be designed or intended for the use of the residents of the PUD. The burden shall be on the landowner to show that the non-residential uses of a commercial character are intended to serve principally the residents of the PUD. The non-residential permitted uses shall be allowed only to the extent that the Village Council finds them to be designed to serve primarily the residents of the PUD and compatibly and harmoniously incorporated into the unitary design of the PUD. Buildings designed and intended to be used, in part or whole, for non-residential uses shall be constructed according to the following:
- (a) If the PUD contains from one (1) to fifty (50) dwelling units, seventy-five (75) percent of said dwelling units must be physically constructed prior to any non-residential use construction.
  - (b) If the PUD contains fifty (50) or more dwelling units, fifty (50) percent of said dwelling units shall be physically constructed prior to any non-residential use construction.
  - (c) The only non-residential uses permitted within a PUD are:
    - (i) Bakery and dairy products, retail sales only;
    - (ii) Barber and beauty shops;
    - (iii) Books, stationery, and newspapers;
    - (iv) Drug stores;
    - (v) Groceries, food stuffs, and meat markets;
    - (vi) Laundromat;
    - (vii) Shoe repair;
    - (viii) Tailoring and dressmaking;
    - (ix) Schools, public or private;
    - (x) Churches;
    - (xi) Public parks, forest preserves, and recreational areas.

- (xii) Golf courses;
  - (xiii) Real estate office only in conjunction with a new PUD limited to selling or renting of units of such development
  - (xiv) Temporary buildings for construction purposes for a period not to extend beyond the completion date of such construction.
  - (xv) Accessory uses. Uses which are customarily accessory and incidental to permitted principal uses, such as non-take-out eating establishments.
  - (xvi) Other uses as determined similar by the Village Council.
- (d) Non-residential uses permitted under review shall only be allowed when the PUD development is of such a scale to reasonably accommodate such uses, and only after consideration has been given to all other development needs, including but not limited to an adequate mix of dwelling types; necessary local shopping facilities and off-street parking; parks, playgrounds, and/or common open spaces; education facilities, if appropriate; and other development requirements which may be unique to the site.
- (e) All non-residential uses permitted shall be desirable or convenient for the users of the PUD or the immediate neighborhood and provided such users are planned so as to assure they will not materially alter the existing character of the neighborhood, and provided further that such uses are integrated by design as an accessory element of the PUD development.
- (f) All non-residential uses allowed in the PUD shall occupy no more than ten percent of the PUD net projects area, nor more than ten percent of all building floor area.
- d. Design requirements: Within the multiple use development approved under this section, the requirements hereinafter set forth shall apply in lieu of any conflicting regulations set forth in the district in which the development is located:
- 1) Number of dwelling units permitted: The maximum number of dwelling units permitted within the project shall be determined by dividing the net PUD area by the minimum residential lot area per dwelling unit required by the district in which the project is located. In the event the project lies in more than one zoning

district, the number of dwelling units shall be computed for each district separately.

- 2) Lot area requirements: The minimum lot area shall not be reduced for any permitted use more than 33 percent below that required in the district in which the project is located.
- 3) Setback and yards The minimum setback and yard or open space requirements for buildings and structures may be reduced or increased in the discretion of the Village Council to avoid unnecessary disruption of the environment where reasonably equivalent open space is provided elsewhere upon the site.
- 4) Minimum lot frontage and width: The minimum lot frontage and width for any lot designated for single-family dwelling may be reduced thirty three (33) percent below the requirements of the district in which the multiple use development is located.
- 5) Screening: A screening area may be required by the Village Council along the perimeter of the development if deemed necessary to protect the values of adjoining property under separate ownership.
- 6) Amount of open space required: Within every multiple use development there shall be planned and set aside permanently as part of the total development an amount of open space equal to not less than the aggregate accumulation of lot size reduction below the minimum lot area for the development as a whole. Before accepting the open space as meeting the requirements of this provision, the Village Council must find the land thus designated to be: (1) sufficient in size, suitably located, with adequate access, and (2) that evidence is given that satisfactory arrangements will be made for the maintenance of such designated land to relieve the municipality of future maintenance thereof.
- 7) Arrangement of open space: All required open space within multiple use development shall be arranged so as to provide benefit to the maximum number of dwelling units. Separate tracts of open space shall have adequate access from at least one point along a public street.
- 8) Sign Standards: All signs in planned use developments shall be subject to the following requirements:

- (a) General regulations for all signs:
  - (i) The erection, construction, location retention, or placement of any sign in or over a public or private right-of-way shall be prohibited.
  - (ii) Merchandise such as tires, produce and any other articles for display, sale or lease shall not be located in any manner outside the principal building.
  - (iii) Signs which are not completely related to the development are prohibited.
  - (iv) No roof signs shall be allowed.
  - (v) Any series of flags, flashing and moving signs, fluttering devices, strings of lights and other similar attention-gathering devices are prohibited.
  - (vi) Only indirect lighting shall be permitted of a subdued nature. Signs with interior lighting or neon signs shall be prohibited.
  - (vii) All signs which are erected must relate to a current use; in the event that the use is discontinued, then the sign must be removed within 30 days of the termination of the use.
  
- (b) Permitted signs:
  - (i) One freestanding permanent development sign per entrance to the development shall be permitted not to exceed fifty (50) square feet in area for the purpose of identifying the name of the development; provided, however, that not more than two such signs shall be permitted per total completed PUD development. As an alternative to one of the foregoing development signs, a directory-type sign not exceeding eighty (80) square feet in area identifying the name of the development and any non-residential uses therein, shall be permitted at the entrance which is the primary entrance for more than one non-residential use; provided, that any identification of an individual non-residential use shall not exceed ten percent of the total area of such directory-type

sign. Any such sign shall be within the PUD and where adjacent to any contiguous residential classification or use shall be located at least fifty (50) feet from the interior boundary between the PUD and such residential classification or use.

- (ii) In the event that a directory-type sign is not used as hereinbefore provided, one commercial sign not exceeding eighty (80) square feet in area and sixteen (16) feet in height shall be permitted identifying an aggregate of non-residential uses within the development; provided that not more than ten percent of the total sign area is allocated to any individual non-residential use. This sign shall be within the PUD and at least fifty (50) feet from any boundary of the PUD.
  - (iii) Identification nameplates not exceeding twenty (20) square feet in area identifying residential and non-residential uses within the development shall be permitted flat against the wall of a building within the development and at the entrance of each designated parking area for such building. The total display surface of all such identification nameplates for a particular building within the development shall not exceed twenty (20) square feet in area and shall not consist of more than one such identification nameplate per building and per parking area entrance.
  - (iv) Signs of an informational, non-advertising nature, such as street signs and signs concerning public or quasi-public areas shall be permitted.
  - (v) Temporary real estate signs not exceeding six square feet in area nor four feet in height shall be permitted provided no illumination is permitted concerning the same.
- (c) The general theme, plan or policy for all such signs proposed in a PUD shall be submitted with a Sketch Plan to the Village Council for its review and approval before any signs are installed. After such review and approval, no signs shall be installed which do not comply with such approved plans. The Village Council shall consider

compliance with the following criteria before making any decision in this connection.

- (i) The aesthetic qualities of any proposal.
  - (ii) The harmonious relationship of signs to buildings and landscaping within and adjacent to the PUD.
  - (iii) The contour of the land and the total acreage involved in the PUD.
  - (iv) The distance of any proposed sign from the boundaries of the PUD and its visibility from adjacent properties or public highways.
  - (v) The number, quality, character and location of entrances to the development as well as the uses served by such entrances.
- (d) The Village Council: The Village Council is hereby delegated the right and authority to authorize variations from the foregoing provisions which will be compatible with the purposes of the PUD or the foregoing criteria and will not be obstructive of view, light, or air, or hazardous or otherwise a nuisance or annoyance to adjacent developments, highway motorists or the general public. The purpose of this delegation is to provide for some flexibility in the regulations and for new aesthetically pleasing concepts which in all cases would comply with the purpose and intent of the PUD to permit a harmonious intermix of land uses aesthetically attractive to both the occupants thereof and the general public.
- (e) Application procedure and approval process
- 9) General: Whenever any PUD is proposed, before any building permit is granted, the developer shall apply for and secure approval of a special condition use in accordance with the following procedures and obtain approval of a special condition use in accordance with the following procedures and obtain approval of a detailed site plan from the Village Council.
- 10) Application for sketch plan approval: So that the Village and the developer can reach an understanding of what is being proposed, and what is required, the developer shall submit a sketch plan to the Planning Commission. The sketch plan shall be drawn to

approximate scale and shall clearly show the following information:

- (a) Boundaries of property;
  - (b) Location and height of all buildings;
  - (c) Interior roadway system including parking facilities and existing right-of-ways;
  - (d) The interior open space system;
  - (e) The overall stormwater drainage system;
  - (f) Principal ties to the neighborhood and community with respect to transportation, water supply and sewage disposal;
  - (g) Delineation of the various residential and/or commercial areas, including size, number, location, and number of housing units;
  - (h) Construction phases if applicable;
  - (I) General statement as to how common open space is to be owned and maintained.
- 11) The Planning Commission: Shall hold a public hearing or hearings on the application for multiple use development in accordance with the provisions of Section 1901 of this Ordinance.
- 12) Following the public hearing: The Planning Commission shall within forty five (45) days, recommend approval or disapproval of the sketch plan or recommend modification thereto and so notify the applicant and Village Council of its decision. The Village Council shall approve or deny the sketch plan within forty-five (45) days of receipt of the Planning Commission's recommendation.
- 13) Approval of sketch plan: Shall not constitute approval of the detailed site plan, but shall be deemed an expression of approval of the layout as a guide to the preparation of the detailed plan and shall indicate approval of the special condition use in conceptual form.
- 14) Request of changes in sketch plan: If it becomes apparent that certain elements of the sketch plan, as it has been approved by the Village Council, becomes unfeasible and in need of modification, the applicant shall then resubmit his entire sketch plan, as

amended, to the Planning Commission and Village Council pursuant to the above procedures.

- 15) Application for detailed site plan approval: After receiving approval of a sketch plan from the Village Council, the applicant may within six (6) months prepare a detailed site plan and submit it to the Village for approval, following the procedures and information requirements established for site plan approval. If the applicant fails to submit a detailed site plan within six months of approval of the sketch plan, approval of the sketch plan shall expire.
21. Plant material nurseries for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies shall be permitted subject to the following conditions:
    - a. The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.
    - b. All loading and parking shall be off-street.
    - c. The storage of any soil, fertilizer, or other loose, unpackaged materials shall be so contained as not to affect adjacent uses.
  22. Private noncommercial recreational areas, institutional or community recreation centers; non-profit swimming pool clubs shall be permitted subject to the following conditions:
    - a. Any use permitted herein shall be developed only on an area of not less than one (1) acre, and shall not be permitted on a lot or group of lots that are part of a recorded plat.
    - b. The proposed site for any of the uses permitted herein which would attract persons from, or are intended to serve areas beyond the immediate neighborhood shall have at least one (1) property line abutting a major thoroughfare as designated on the Major Thoroughfare Plan, and the site shall be so planned as to provide all access in accordance with Section 1811.
    - c. Front, side and rear yards shall be at least eighty (80) feet wide and shall be landscaped in trees, shrubs and grass. All such landscaping and planting shall be maintained in a healthy, growing condition neat and orderly in appearance.
    - d. Buildings erected on the premises shall not exceed one (1) story in height except where due to topography a lower level shall be permitted when said lower level is entirely below the grade of the major thoroughfare abutting the parcel in question.

- e. Off–street parking shall be provided so as to accommodate at least one–half (½) of the member families and/or individual members. Bylaws of the organization shall be provided to the Board of Appeals in order to establish the membership involved for computing parking requirements.
  - f. Where storm sewers are non–existent or capacity is not ample, adequate on site run–off facilities shall be provided and shall be reviewed and approved by the Village Engineer as being adequate.
23. Recreational areas shall be permitted subject to the following conditions:
- a. Such areas for children shall not be established at the intersection of two major thoroughfares.
  - b. Such recreation space shall be enclosed on all sides with a four (4) foot chain link type fence.
24. Sexually Oriented Businesses are permitted by conditional use permit but are required to comply with the following locational criteria in order to mitigate the secondary effects of such uses.
- a. The sexually oriented business shall be located at least 500 feet from any residential district, a school, a church, a family day care home, child day care center or group day care home as measured from the boundary of district or parcel to the structure housing the sexually oriented business.
  - b. The sexually oriented business shall be located at least 1000 feet from another sexually oriented business.
25. Veterinary hospitals or clinics shall be permitted subject to the following conditions:
- a. All activities must be conducted within a totally enclosed main building.
  - b. All buildings must be set back at least two hundred (200) feet from abutting residential districts on the same side of the street.
26. Residential units within commercial structures on the second floor and above are permitted. Residential units on the main floor and in the basement of commercial structures are prohibited. Overnight, weekly or monthly transient living quarters in commercial structures are prohibited. Efficiency apartments in commercial structures are prohibited. The residential area shall have a minimum of 600 usable square feet, containing separate rooms for living, sleeping, cooking (complete kitchen facilities with stove, sink, refrigerator and storage facilities) for occupancy. Shared bathroom and/or kitchen facilities with other residential units

are not allowed. The residential area shall have two means of ingress and egress and shall be separate from any other means of ingress and egress in the building. There shall be a clearly defined separation between the residence and the non-residential portion of the building. There shall be no means of access between the commercial portion of the building with any of the residential portion of the building. Private off-street parking must be provided within 100 feet of either the ingress and egress ways. The village manager or his or her designee shall refer the plans to the Building Inspector, Health Department, Fire Chief, Police Chief, Zoning Administrator. Their comments and recommendation shall be provided to the Planning Commission to assist in their decision. Articles 17, 18 and 19 shall apply where applicable.